

TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



FISCAL MEMORANDUM

SB 117 – HB 106

March 23, 2015

SUMMARY OF ORIGINAL BILL: Grants immunity from civil liability to volunteers that provide transportation services to senior citizens through a charitable organization or human services agency if the volunteer was acting in good faith and within the scope of his/her official actions.

FISCAL IMPACT OF ORIGINAL BILL:

NOT SIGNIFICANT

SUMMARY OF AMENDMENT (004467): Deletes section 2(b) of the bill.

Adds gross negligence to the conduct for which a driver will not be granted immunity.

Adds a provision that a volunteer shall not be individually liable “above the policy limits collectable from any policy of insurance that would be obligated to make payment on behalf of the volunteer or on behalf of a person or entity that would be vicariously liable for the volunteer’s conduct when liability for civil damages is limited by this section.”

Changes the effective date to July 1, 2015 from “upon becoming a law.”

FISCAL IMPACT OF BILL WITH PROPOSED AMENDMENT:

Unchanged from the original fiscal note.

Assumptions for the bill as amended:

- The bill does not affect any state or local governmental entity. It grants immunity to private individuals. The immunity being granted to the private individual will not extend to any human services agency.
- The bill will not significantly impact any state agency, state department, or local government. The bill will not increase or decrease any liability that may be attributed to a human services agency.

CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.

SB 117 – HB 106

A handwritten signature in dark ink, reading "Jeffrey L. Spalding". The signature is written in a cursive, flowing style.

Jeffrey L. Spalding, Executive Director

/trm